WHAT WAS THE PLEA? A QUALITATIVE NARRATIVE INQUIRY INTO A VERMONT RESTORATIVE JUSTICE DISPOSITION

by

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A LEGAL DISSERTATION: A NARRATIVE INQUIRY INTO THE RESTORATIVE JUSTICE PLEA PROCESS AND THE SUCCESSFUL DISMISSAL OF DOCKET NO. 1127-10-13 BNCR

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ABSTRACT

This legal dissertation examined the later judicial treatment of a Vermont misdemeanor conviction under 13 V.S.A. § 3002 within a plea-based reparative disposition. The problem addressed was that the later legal characterization of the offense appeared broader than the contemporaneous record, creating tension between the original restorative structure of the case and the predicate-style treatment later attached to it for record-relief purposes. The purpose of the study was to determine whether the original case record supported that later characterization or whether the record instead reflected a narrower restorative disposition whose meaning was subsequently expanded. Guided by four research questions, the study used a qualitative narrative inquiry design adapted to document-based legal analysis. The population consisted of documentary legal sources, and the purposive sample included one Vermont criminal docket, related memoranda, governing statutes, and closely related legal authorities. Data were collected through archival review and analyzed through chronological reconstruction, legal coding, narrative mapping, and thematic synthesis. The findings showed that the contemporaneous record preserved a mixed punitive-restorative sequence, that later judicial treatment narrowed that sequence into a predicate-style characterization, and that the current statutory framework requires renewed attention to present law rather than repetition of older interpretive language. The study concluded that the full record supported a plea-scope interpretation broader than later shorthand but narrower than total record erasure. These findings are important to courts, practitioners, and leaders because they show how careful documentary analysis can improve the interpretation of restorative dispositions, plea meaning, and post-conviction record-relief decisions

DEDICATION

This dissertation is dedicated to the Vermont Superior Court, Bennington Criminal Division, and to the practitioners whose service and decisions form part of its institutional history.

It is dedicated to Kate Lamson, the Public Defender first assigned to this matter, whose early pursuit of diversion and restorative justice established the rehabilitative framework that later became central to the inquiry developed in this study.

It is further dedicated to Erica Marthage and Sean Dillon, whose roles in the continuing work of the Bennington State's Attorney's Office, and whose advocacy in this matter, sharpened the legal and analytical issues examined in this dissertation.

This dissertation is also dedicated to Vermont Law and Graduate School and Harvard Law University in recognition of the broader legal and academic tradition that informed the scholarly spirit of this work.

Finally, this dissertation is dedicated to the Honorable John Valente, whose career reflects the neutrality, discipline, and commitment to the administration of justice that this study seeks to respect.

ACKNOWLEDGMENTS

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I also acknowledge the documentary and institutional record that made this inquiry possible. The case materials, procedural history, and governing legal framework provided the basis for a study that required accuracy, patience, and close attention to the distinction between record, interpretation, and later legal characterization. The professional roles of those connected to this matter, whether through advocacy, administration, or adjudication, contributed to the sharpening of the legal questions examined in these pages.

Finally, I acknowledge the discipline required to complete a work of this nature. This dissertation reflects not only legal and scholarly interest, but also sustained effort, endurance, and fidelity to the written record. For all forms of support, formal and informal, intellectual and practical, I remain grateful.

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Chapter 1

Introduction

This legal dissertation examines the classification of 13 V.S.A. § 3002, impersonation of officer, in a Vermont criminal case resolved through a plea-based Reparative Board disposition. The central inquiry is whether the contemporaneous record supports later treatment of the offense as a predicate-style offense for record-relief purposes, or whether the case record instead reflects a narrower restorative disposition that was subsequently given broader punitive meaning than the original record affirmatively established. The issue is significant because the Vermont register, the later filed memoranda, and the governing statutes together present a dispute about plea scope, record meaning, and the proper legal characterization of the offense. This chapter introduces the background of the problem, the problem statement, the purpose of the study, the nature of the study, the research questions, the conceptual framework, relevant definitions, and the assumptions, limitations, and delimitations that guide the study.

This study is not a policy argument about restorative justice in the abstract. It is a case-centered legal analysis of what the record shows occurred in one Vermont criminal matter, how that matter was later interpreted, and whether the later interpretation remained faithful to the contemporaneous record and current law. The record reflects an initial not-guilty plea, a later guilty plea, a plea agreement filed, a sentence to the Reparative Board under 13 V.S.A. § 7030(a)(2), a filing indicating successful completion of the reparative process, cancellation of the later status conference because the case was settled, and closure of the case. Those entries make the case analytically important

because they present a record that is both punitive in formal disposition language and restorative in procedural structure and completion.

The legal significance of that structure increased as Vermont's statutory framework changed. Current 13 V.S.A. § 7601 defines "qualifying crime" broadly to include misdemeanor offenses except specified exclusions, while 13 V.S.A. § 7602 now distinguishes between expungement of convictions for conduct no longer criminalized and sealing of convictions involving qualifying crimes. In addition, 13 V.S.A. § 7607 provides that once a record is sealed, the person is treated in all respects as if never arrested, convicted, or sentenced for the offense, subject to statutory exceptions. These provisions make careful classification of the underlying offense and careful reading of the record especially important in post-conviction record-relief litigation.

This chapter proceeds from a narrow premise. The inquiry is not whether the phrase "predicate offense" has been repeated in later denials, but whether the contemporaneous record and the current statutory framework actually establish that classification for this offense and this case. That narrow framing aligns with the filed memorandum regarding 13 V.S.A. § 3002, which argues that later predicate-offense treatment functioned as a subsequent interpretive label rather than as a contemporaneous record-based classification established at plea or disposition. The chapter therefore treats the record as a legal narrative whose meaning must be determined sequentially, textually, and in light of current Vermont law.

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Background of the Problem

Vermont criminalizes impersonation of an officer under 13 V.S.A. § 3002, and the statute itself contains a first-offense and second-or-subsequent-offense penalty structure. The current statutory text provides one penalty for a first offense and a heightened penalty for a second or subsequent offense, but the statute does not itself use the phrase "predicate offense." That distinction matters because later judicial reasoning in this matter treated the first conviction as a predicate offense for Chapter 230 purposes, even though the contemporaneous register recorded the matter simply as a misdemeanor under 13 V.S.A. § 3002. The difference between internal repeat-offense enhancement language and later predicate-offense classification is one of the central legal tensions in this case. The contemporaneous record reflects a procedural sequence more complex than a conventional guilty-plea path. According to the docket summary reproduced in the April 2, 2026 academic memorandum and the updated register, the case was filed in October 2013 as a misdemeanor under 13 V.S.A. § 3002, the defendant pleaded not guilty at arraignment on October 21, 2013, and the matter later proceeded to a change-of-plea hearing on December 30, 2013, at which a plea agreement was filed and the court accepted a guilty plea. The same docket sequence further shows that the court sentenced the defendant pursuant to 13 V.S.A. § 7030(a)(2) to the Reparative Board, assessed surcharges, and scheduled a later status conference. The record then shows that on February 11, 2014, a document was filed indicating successful completion of the reparative board process, the March 24, 2014 status conference was canceled because the case was settled, and the case was closed.

That sequence is legally important because Vermont's sentencing-alternatives statute expressly authorizes referral to a community reparative board in the case of an offender who has pleaded guilty to a nonviolent felony, nonviolent misdemeanor, or certain other misdemeanors. The current statutory text also states that such referral does not require the court to place the offender on probation and that the offender returns to court for further sentencing if the reparative board does not accept the case or if the offender fails to complete the reparative board program to the board's satisfaction. That framework confirms that a reparative-board sentence is not decorative language, but a recognized sentencing alternative with substantive procedural consequences. The register in this case is therefore consistent with a formal guilty plea that was simultaneously embedded within a restorative and reparative sentencing structure.

The complexity of the record was later compressed into a more punitive form during record-relief litigation. The 2017, 2019, and 2020 denials reproduced in the docket summary treated the conviction as a predicate offense on the theory that a first conviction under § 3002 could be used to enhance the punishment for a future conviction under the same statute. Those rulings denied expungement or sealing on the ground that the offense was not a qualifying crime under the then-applicable version of 13 V.S.A. § 7601 because it was deemed a predicate offense. The later predicate-offense theory therefore appeared in motion denials and hearing rulings rather than as a designation expressly included in the original plea or reparative-board entries. That distinction between later interpretive labeling and contemporaneous record classification is central to the present study.

The present statutory framework differs materially from the framework underlying those earlier denials. As the April 1, 2026 memorandum explains, current 13 V.S.A. § 7601 defines "qualifying crime" as including all misdemeanor offenses except specified exclusions, and the current definition section no longer contains the former standalone definition of "predicate offense" that existed under prior law. Current 13 V.S.A. § 7602 now distinguishes between expungement and sealing, allowing sealing of convictions involving qualifying crimes even where expungement may be unavailable because the underlying conduct remains criminalized. This statutory change does not automatically resolve the present case, but it does re-frame the legal question from whether earlier labels were repeated to whether the offense is excluded under the law now in force.

Another important background distinction is the difference between plea-based reparative sentencing and adult diversion. Current 3 V.S.A. § 164 describes Vermont's adult court diversion program, including pre-charge and post-charge referrals, as part of a restorative justice approach administered through diversion structures. By contrast, 13 V.S.A. § 7030(a)(2) concerns a sentencing alternative available in the case of an offender who has pleaded guilty. The difference matters because later legal analysis can become distorted if reparative-board sentencing is treated as though it were identical to diversion, dismissal, or a no-adjudication outcome. The present study therefore treats diversion and reparative-board sentencing as related but legally distinct frameworks.

Recent Vermont appellate material narrows the available legal theory further. In State v. Jeffrey Rivard, a three-justice panel rejected the argument that successful completion of a reparative-board sentence automatically required dismissal or non-

conviction treatment and distinguished reparative-board sentencing from adult diversion. At the same time, the order confirms that the legally relevant focus remains the plea agreement and the statutory framework governing the plea-based disposition, even if the petitioner's theory ultimately fails. Although three-justice panel decisions are not precedential before any tribunal, Rivard is an important contemporary signal because it identifies the correct doctrinal battlefield: not automatic dismissal, but interpretation of the plea, the sentence, and the governing statutes. That signal reinforces the need for a narrower, record-based analysis in this case.

The background is also shaped by the December 31, 2025 entry order in this case. As the academic memorandum notes, that order recognized that refusing to consider the filings altogether would be inconsistent with the Vermont Supreme Court's finding that not all lower-court relief had been exhausted, and it cited access-to-courts principles in Fox v. Fox. The significance of that order is procedural rather than substantive: it did not decide the merits of the predicate-classification dispute, but it restored the ability to continue pressing a legal theory in the criminal division. This access ruling forms part of the present background because it creates the procedural bridge between earlier denials and the current attempt to restate the issue in a more disciplined scholarly form.

Problem Statement

The problem of this qualitative narrative study is that the later judicial treatment of this Vermont criminal matter appears to have re-characterized a plea-based restorative disposition under 13 V.S.A. § 3002 as a predicate-style offense for post-conviction record-relief analysis, thereby creating a material conflict between the contemporaneous record and the later classification attached to that record. The register of actions and

related memoranda reflect a misdemeanor filing under 13 V.S.A. § 3002, an initial not-guilty plea, a later guilty plea with a plea agreement filed, sentencing to the Reparative Board pursuant to 13 V.S.A. § 7030(a)(2), successful completion of the reparative process, cancellation of the later status conference because the case was settled, and closure of the case. The continuing difficulty is that later denials treated the conviction as a predicate offense, while the current statutory framework turns on present text governing qualifying crimes, sealing, and expungement. As a result, the case presents a documented problem of record interpretation, plea-scope analysis, and statutory classification under current Vermont law.

Purpose of the Study

The purpose of this qualitative narrative inquiry is to examine the legal meaning and later judicial treatment of a plea-based reparative disposition in a Vermont criminal case involving 13 V.S.A. § 3002. The study is designed to determine whether the contemporaneous record supports treatment of the offense as a predicate-style offense for Chapter 230 record-relief purposes, or whether the original case was entered and completed as a restorative disposition whose legal meaning was later expanded beyond what the record expressly preserved. This purpose will be achieved through close analysis of the register of actions, the docket sequence, the filed memoranda, the relevant Vermont statutes, and the later judicial orders that interpreted the offense. The objective is not to re-litigate the entire case, but to produce a disciplined scholarly account of plea scope, reparative completion, and later legal classification under current Vermont law.

Population and Sample

This study does not involve human subjects, interviews, questionnaires, or survey instruments. Instead, the source base consists of official and quasi-official documentary materials directly relevant to the case, including the updated register of actions, the earlier docket summary, the filed memoranda, applicable Vermont statutes, and related judicial orders and authorities. The sample is purposive and document-based, restricted to materials that bear directly on the classification of 13 V.S.A. § 3002, the reparative-board disposition, and the later treatment of the offense in expungement and sealing proceedings. Because the study is confined to one case and its governing legal materials, the source population is intentionally narrow, case-specific, and non-generalizable.

Significance of the Study

This study is significant because it addresses a specific legal ambiguity concerning how a plea-based restorative disposition under Vermont law should be classified and understood years later in record-relief litigation. The dissertation contributes a structured account of how a misdemeanor conviction under 13 V.S.A. § 3002, resolved through a reparative-board sentence and later successful completion, came to be treated in subsequent denials as a predicate offense for Chapter 230 purposes. By clarifying the relationship among § 3002, § 7030(a)(2), § 6565, § 7601, § 7602, § 7607, and 3 V.S.A. § 164, the study provides a coherent legal framework for reading the record in light of the law now in force. The study is therefore important to Vermont courts, self-represented litigants, legal researchers, and scholars of restorative justice and post-conviction record relief.

The study is also significant because it preserves the distinction between formal disposition language and fuller procedural meaning. The record in this case includes

punitive language, including a guilty plea and judgment of guilty, but it also includes an integrated restorative sequence involving a plea agreement, reparative-board referral, successful completion, settlement, and closure. A scholarly legal treatment that ignores either side of that record would be incomplete. By holding the formal and restorative dimensions together, the dissertation offers a more exact method of reading mixed record structures in post-conviction and record-relief contexts.

The study further contributes to leadership and practitioner knowledge by showing how record classification can affect the continuing public treatment of a person long after completion of a sentence. Current Vermont law treats sealed records as if the person had never been arrested, convicted, or sentenced for the offense, subject to statutory exceptions, which means that accurate classification directly affects whether the law's remedial protections are meaningfully available. The dissertation therefore has practical significance for the administration of restorative justice, criminal record policy, and equitable post-conviction relief. It also has interpretive significance because it demonstrates how legislative revisions can alter the meaning of older judicial assumptions without automatically rewriting the historical record itself.

Nature of the Study

This study employs a qualitative narrative inquiry approach adapted to legal document analysis. Narrative inquiry is traditionally used to study stories through the dimensions of temporality, sociality, and spatiality, and those dimensions are used here to organize the legal narrative of one Vermont criminal case rather than to analyze participant interviews. Temporality structures the sequence from arraignment to plea agreement, reparative-board sentence, successful completion, settlement, closure, later

denials, and renewed access to court review. Sociality is used to examine the role of institutional actors, legal roles, plea procedure, proprietorial opposition, and judicial interpretation in shaping the later meaning of the case.

Spatiality, as used in this dissertation, concerns the legal environments in which the meaning of the case changed over time. The case moved through the Vermont criminal division, reparative-board sentencing law, expungement and sealing law, and later access-to-courts rulings, each of which supplied a different framework for interpreting the same underlying disposition. This makes narrative inquiry especially useful because the dispute is not purely about one date or one order, but about how the legal meaning of the case changed across settings and doctrinal contexts. The study therefore treats the record as a developing legal story rather than as an isolated collection of docket entries.

A qualitative method is appropriate because the purpose of the study is interpretive rather than quantitative. The project seeks to understand meaning, sequence, classification, and doctrinal fit, not to test hypotheses statistically or to measure variables across a population. A quantitative design would be ill-suited because the case does not involve measurable variables or sample-based inference. A mixed-method design would likewise add little because the evidence base is entirely documentary and the legal dispute turns on text, sequence, and interpretation rather than numerical aggregation.

Narrative inquiry is also more appropriate than several alternative qualitative designs. Phenomenology seeks the shared essence of lived experience, but this project is not a study of subjective consciousness across multiple participants. Grounded theory seeks to generate a new explanatory theory from data, whereas this study seeks interpretive

clarification of one legal record rather than theory generation. A conventional case study could have been used, but narrative inquiry is better suited to a matter in which chronology, record evolution, and later reinterpretation are the central analytical concerns.

Instrumentation in this study is documentary rather than interview-based. The principal sources include the register of actions, the earlier docket summary, the filed memoranda concerning restorative justice standing, predicate-offense classification, and academic record-based interpretation, the current Vermont statutory text, and related judicial authorities. Data collection therefore consists of identifying, organizing, and reading relevant legal materials rather than administering instruments to participants. Data analysis proceeds through close textual reading, cross-document comparison, statutory interpretation, and thematic narrative synthesis organized around plea scope, reparative completion, later predicate-offense treatment, and available alternative relief under current law.

Research Questions/Hypotheses

R1. How does the contemporaneous record describe the plea, reparative-board disposition, successful completion, settlement, and closure of the Vermont criminal case involving 13 V.S.A. § 3002?

R2. How do the governing Vermont statutes distinguish among impersonation of officer under 13 V.S.A. § 3002, reparative-board sentencing under 13 V.S.A. § 7030(a)(2), plea agreements under 13 V.S.A. § 6565, adult diversion under 3 V.S.A. § 164, and post-conviction sealing and expungement under 13 V.S.A. §§ 7601–7607?

R3. How did later judicial treatment characterize the legal meaning of the original disposition, and to what extent did that treatment diverge from the contemporaneous record and the current statutory framework?

R4. What does the record, taken as a whole, indicate about whether the offense should now be understood as a misdemeanor conviction under 13 V.S.A. § 3002 that is not excluded from qualifying status under current law, even if earlier denials applied a broader predicate-offense rationale?

Conceptual Framework

The conceptual framework for this study combines narrative inquiry, plea-scope analysis, and record-based statutory interpretation. Narrative inquiry supplies the organizing dimensions of temporality, sociality, and spatiality, allowing the case to be examined as an evolving legal story rather than a static docket. Plea-scope analysis focuses on what was actually agreed to, recorded, and judicially accepted at the time of plea and sentence. Record-based statutory interpretation then evaluates whether later legal treatment remained faithful to that scope under the operative statutory framework.

This framework is appropriate because the central dispute in the case is not only about what happened, but about what later legal institutions said those events meant. A plea agreement is not binding on the court, and Vermont law expressly provides that the court is not limited by the agreement in the judgment and sentence to be imposed, while also directing plea withdrawal questions to Rule 32(d). That statutory structure makes it necessary to distinguish between the negotiated mechanism of resolution, the formal plea event, the sentence actually imposed, and the later consequences attached to that

disposition. The framework therefore keeps the analysis centered on legally significant distinctions that the record itself appears to preserve.

The framework also accommodates the study's restorative dimension without collapsing the case into a generalized policy defense of restorative justice. Vermont restorative justice law is reflected in 28 V.S.A. § 2a, 13 V.S.A. § 7030(a)(2), and 28 V.S.A. chapter 12, all of which indicate that reparative mechanisms have recognized legal significance in Vermont practice. The filed restorative justice memorandum and academic memorandum both argue that the reparative dimension of the record cannot be treated as a meaningless afterthought once the same docket shows successful completion, cancellation of the later status conference, and closure of the case. Within this dissertation, that restorative dimension operates not as a substitute for doctrine, but as part of the factual and legal context in which classification and relief must be analyzed.

Definition of Terms

Adult diversion. A restorative justice approach administered under 3 V.S.A. § 164, available through diversion structures and distinct from plea-based reparative-board sentencing.

Predicate offense. A later legal classification used in prior denials in this case on the theory that a first conviction under **§ 3002** could be used to enhance the penalty for a later conviction, even though the phrase was not recorded as a contemporaneous classification in the original disposition entries.

Plea agreement. The negotiated resolution whose content, including the disposition of the charges, must be placed on the record under 13 V.S.A. § 6565, although the agreement is not binding on the court.

Qualifying crime. A current Chapter 230 classification under 13 V.S.A. § 7601 that broadly includes misdemeanor offenses except specified exclusions.

Reparative Board disposition. A sentencing alternative authorized by 13 V.S.A. § 7030(a)(2) for offenders who have pleaded guilty and are referred to a community reparative board.

Sealing. A post-conviction remedy under 13 V.S.A. § 7602 and § 7607 under which, upon entry of a sealing order, the person is treated in all respects as if never arrested, convicted, or sentenced for the offense, subject to statutory exceptions.

Temporality, sociality, and spatiality. The core narrative inquiry dimensions used to organize the legal narrative of this case across time, institutional relationships, and legal settings.

Assumptions, Limitations, and Delimitations

One assumption of this study is that the contemporaneous register entries, docket summaries, and filed memoranda provide a sufficiently reliable basis for analyzing the procedural and restorative structure of the case. A second assumption is that later judicial shorthand or later predicate-offense labels may not fully capture the meaning of the earlier record and therefore must be tested against the original entries and the current statutory framework. A third assumption is that a document-based narrative legal analysis can illuminate the legal meaning of the case without the need for participant interviews or

empirical measurement. These assumptions guide the dissertation but do not determine its conclusions in advance.

The principal limitation is that the study is confined to written records and currently available authorities rather than a complete plea-hearing transcript and all contemporaneous court filings from 2013–2014. As a result, some aspects of the plea's precise oral framing remain inferential rather than fully reproduced from the original hearing transcript. A second limitation is that State v. Jeffrey Rivard is a three-justice entry order and therefore not precedential before any tribunal, even though it remains highly relevant to the distinction between reparative-board sentencing and diversion. A third limitation is that the dissertation addresses a single case and one statute rather than a broader set of Vermont criminal matters, which limits broader generalization.

The study is deliberately delimited to one Vermont criminal case, one statutory offense, and the legal materials directly related to that matter. It does not attempt to resolve the entire law of restorative justice in Vermont, to survey all predicate-offense doctrine, or to conduct an empirical analysis of expungement or sealing outcomes across cases. It is also separate from the author's actual dissertation work and should not be read as part of that academic project. These delimitations keep the project narrow, legally coherent, and faithful to the record-based purpose of this separate legal dissertation.

Chapter Summary

Chapter 1 introduced the legal problem addressed in this dissertation: whether the later judicial treatment of a Vermont criminal case involving 13 V.S.A. § 3002 remained faithful to the contemporaneous plea and reparative-disposition record and to the current Chapter 230 statutory framework. The chapter established the background of the case,

stated the problem and purpose, identified the qualitative narrative inquiry and document-based legal method, presented the research questions, and explained the conceptual framework, definitions, assumptions, limitations, and delimitations. The chapter also clarified that the study is a separate legal dissertation centered on one record and one offense, not the author's actual dissertation project. Chapter 2 will review the statutory, doctrinal, and methodological literature relevant to 13 V.S.A. § 3002, reparative-board sentencing, plea agreements, adult diversion, current sealing and expungement law, and the narrative interpretation of mixed punitive and restorative records under Vermont law.

Chapter 2

Literature Review

This chapter reviews the literature relevant to the classification of 13 V.S.A. § 3002, the legal meaning of reparative-board sentencing, the distinction between restorative and punitive record treatment, and the methodological basis for using a qualitative narrative inquiry in a document-based legal dissertation. The review is guided by the study's conceptual framework, which combines narrative inquiry, plea-scope analysis, and record-based statutory interpretation in order to evaluate how a Vermont misdemeanor conviction was later characterized for Chapter 230 record-relief purposes. The chapter is organized into title searches and documentation, historical content, current content, conceptual framework literature, methodology literature, research design literature, conclusions, and chapter summary, consistent with the dissertation guide structure you provided. The review also integrates user-provided case materials because those documents form part of the evidentiary literature relevant to this specific legal question. The core question in this literature review is not simply whether Vermont recognizes restorative justice, because that proposition is already well established in statute and practice. The more precise question is how restorative and reparative frameworks interact with plea procedure, sentencing alternatives, and later post-conviction record-relief classifications under current Vermont law. That question requires a synthesis of legal authorities, restorative justice scholarship, plea jurisprudence, record-relief literature, and qualitative methodology sources rather than reliance on any one category of source alone. For that reason, the review moves from broad restorative justice literature to the

Title Searches and Documentation

The literature search for this chapter used a combination of official Vermont legal sources, scholarly legal commentary, methodological literature, and user-provided court records. Official sources were drawn from the Vermont Legislature website for current statutory text, the Vermont Judiciary site for opinions, entry orders, and working-group materials, and the user-provided register and filed memoranda for case-specific record analysis. Scholarly and methodological materials were identified through legal and academic search terms focusing on restorative justice, reparative boards, narrative inquiry, qualitative legal scholarship, sealing and expungement, plea validity, and Rule 11 or Rule 32 jurisprudence. Because this study is case-centered, the search strategy prioritized sources that could illuminate the interaction among plea scope, reparative disposition, and later legal classification.

Key legal search terms included "13 V.S.A. § 3002," "impersonation of officer," "13 V.S.A. § 7030," "Reparative Board," "13 V.S.A. § 6565," "13 V.S.A. §§ 7601–7607," "adult diversion Vermont," "predicate offense," "qualifying crime," "Rule 32(d)," "manifest injustice," "State v. Yates," "State v. Cleary," and "State v. Jeffrey Rivard." Methodological search terms included "narrative inquiry methodology," "temporality sociality spatiality," "qualitative legal scholarship," "thematic analysis," and "document-based legal analysis." Historical scholarship was categorized as literature published before 2020, while current literature was categorized as literature from 2020 through 2026, consistent with your instruction and the dissertation guide's treatment of historical and current content. The final literature base therefore included statutory text, judicial

orders, legislative working-group reports, law review materials, methodological articles, and the case documents themselves.

Historical Content

Restorative Justice Foundations Before 2020

Historical restorative justice scholarship consistently described reparative processes as substantive alternatives to purely punitive criminal justice responses rather than symbolic adjuncts to ordinary punishment. Karp's early Vermont-centered work characterized restorative justice as a structured process of harm identification, accountability, and repair, while Karp and Drakulich later emphasized the civic and community dimensions of Vermont reparative probation boards as mechanisms for offender accountability and community restoration rather than mere administrative supervision. Those early studies are important because they establish that Vermont's reparative language carried real conceptual and practical weight long before the present statutory revisions. That historical understanding matters in this case because the contemporaneous record did not merely use reparative terminology in passing, but placed the defendant on a recognized reparative path.

Historical Vermont restorative justice literature also reveals a tension between individualized repair and formal criminal adjudication. Earlier scholarship treated reparative boards as part of a broader restorative movement designed to reduce the dominance of adversarial punishment, but it also recognized that restorative processes often operate inside systems that still retain formal guilty-plea and conviction structures. That tension is directly relevant here because the 2013–2014 case record reflects both adjudicative language and a reparative-board sentence. The historical literature therefore

supports the proposition that a record can simultaneously be formal, punitive, and restorative without being reducible to only one of those dimensions.

Historical Plea Jurisprudence and Record Meaning

Historical plea jurisprudence before 2020 established that courts must distinguish between the negotiated plea agreement, the formal plea, and the court's independent duty to ensure voluntariness and factual basis. Boykin v. Alabama and McCarthy v. United States are foundational because they required that guilty pleas rest on knowing, voluntary, and constitutionally adequate procedures rather than on shorthand assumptions about consent. In Vermont, State v. Yates further emphasized that allowing a guilty plea to stand without an adequate factual basis would work a miscarriage of justice, while State v. Cleary later reflected a more functional view of substantial compliance with plea colloquy requirements. Together, these cases establish that record meaning cannot be reduced to a single docket label when the broader plea structure and procedural safeguards are legally significant.

The historical case law is especially relevant because this dissertation does not argue that the plea event disappeared or that no guilty plea occurred. Instead, the historical plea literature helps frame the narrower issue of whether later courts may treat a plea-based reparative disposition as though the reparative structure were legally irrelevant once a judgment label appears in the register. Historical plea doctrine indicates that the legal scope and meaning of a plea depend on more than a later summary description, because voluntariness, factual basis, and judicial acceptance all matter to the validity and effect of the plea. That doctrinal background supports reading the case record in sequence

and in full rather than through the most compressed punitive shorthand. It therefore provides a historical legal foundation for the case-centered interpretive approach used in this study.

Historical Record Relief and Predicate Logic Before 2020

Before the recent revisions to Chapter 230, Vermont record-relief litigation often relied on the statutory concept of a predicate offense when determining whether a conviction qualified for sealing or expungement. The earlier denials reproduced in the user-provided docket summary show that from 2017 through 2020 the court treated impersonation of an officer under § 3002 as a predicate offense because a first conviction could enhance the penalty for a later conviction under the same statute. That line of reasoning reflected the then-operative framework, but it also demonstrates that the predicate label appeared as a later interpretive category rather than as an express classification contained in the 2013 or 2014 contemporaneous plea and reparative-board entries. Historically, then, the record-relief problem in this case developed after the original disposition rather than being embedded in the original docket language itself.

This historical predicate logic matters because it shaped the judicial vocabulary that later courts continued to use even after the statutory framework changed. The 2017, 2019, and 2020 denials show that the court linked eligibility for sealing or expungement to an enhancement-based interpretation of § 3002, thereby treating the first conviction as disqualifying due to its possible future use. Yet the original record continued to describe the case as a misdemeanor under 13 V.S.A. § 3002 with a reparative-board referral and later successful completion. The historical literature for this study therefore includes not

only formal scholarship, but also the evolution of judicial interpretation preserved in the docket itself. That evolution provides the historical baseline against which current law must now be assessed.

Current Content

Current Vermont Statutory Framework

The current Vermont statutory framework substantially alters the legal terrain for analyzing this case. Current 13 V.S.A. § 7601 defines "qualifying crime" broadly, current § 7602 separately authorizes sealing of convictions involving qualifying crimes while limiting expungement to convictions for conduct no longer criminalized, and current § 7607 provides that a sealed record is treated in all respects as though the person had never been arrested, convicted, or sentenced for the offense. Those provisions are important because they shift the analysis away from the older standalone predicate-offense definition and toward the text now in force. As a result, current statutory analysis requires asking whether § 3002 is excluded under current law, not merely whether older denials once used a different vocabulary.

Current 13 V.S.A. § 3002 remains an active criminal statute and still contains a first-offense and second-or-subsequent-offense structure. That text supports the proposition that a later violation could carry an enhanced penalty, but the statute itself still does not use the phrase "predicate offense." The distinction between internal repeat-offense enhancement and external predicate classification therefore remains analytically important under current law. The current memorandum regarding § 3002 uses that distinction to argue that the offense remains a misdemeanor under the present statutory framework unless the Legislature expressly excludes it.

Current sentencing law also confirms the continuing legal significance of reparative-board referrals. Current 13 V.S.A. § 7030 authorizes referral to a community reparative board for offenders who have pleaded guilty to nonviolent offenses and states that the offender returns to court for further sentencing if the board does not accept the case or if the offender fails to complete the program. That language confirms that reparative-board referral is not a casual administrative note, but a formal sentencing alternative embedded in Vermont criminal procedure. The current statutory framework therefore supports the view that reparative-board treatment is part of the legal character of a case rather than an irrelevant appendage once a plea has been accepted.

Current Restorative Justice Literature and Vermont Developments

Current Vermont restorative justice materials show an active period of reform and reassessment rather than a static system. The Post-Adjudication Reparative Program Working Group reports from 2025 describe efforts to create more uniform post-adjudication reparative pathways and explicitly discuss § 7030 as a vehicle for community-based service providers and restorative programs. In addition, 2026 legislative activity, including bills addressing § 7030 and § 164, demonstrates that Vermont continues to refine the relationship among sentencing alternatives, reparative programs, and adult diversion. This current environment makes it especially important to interpret older case records with care rather than assuming that punitive shorthand exhausted their legal meaning.

Current scholarship also underscores the broader institutional significance of restorative justice. Riell's 2025 article in the Vermont Law Review argues that Vermont

courts should remain attentive to procedural protections and to the compatibility of rights-based analysis with restorative responses, even in supervised-release contexts different from the present case. More general current commentary, including the 2024 Judicature article on restorative justice in U.S. courts, likewise emphasizes that restorative approaches are increasingly treated as serious judicial tools for accountability and healing rather than as extralegal leniency. Although those sources do not decide the present statutory issue, they reinforce the current scholarly view that restorative mechanisms should be analyzed as substantive legal processes. That current framing supports giving full interpretive weight to the reparative-board dimension of this case record.

Current Record Relief Literature

Current record-relief literature emphasizes that sealing and expungement statutes have expanded and diversified across jurisdictions, but also that the legal consequences of each remedy remain distinct. The 2024 ABA Criminal Justice Magazine review of sealing and expungement statutes highlights that modern reforms increasingly differentiate between records removed from public view and records legally erased, and that statutory wording matters greatly to access, enforcement, and collateral consequences. The 2020 Harvard Law Review empirical study likewise shows that record-relief systems vary substantially by design, eligibility, and effect, making close statutory reading essential in any individual case. In the Vermont context, this scholarship supports careful attention to the difference between current § 7602 sealing and expungement remedies rather than treating them as interchangeable forms of relief.

Current record-relief scholarship also supports the significance of public-access consequences. The New England Law Review's discussion of sealing regimes highlights that sealing often leaves law-enforcement access intact while substantially restricting public access, and that such remedies can materially change how a person is treated in employment, housing, and reputational contexts. Vermont's own statute goes further by providing that a sealed record is treated in all respects as though the person had never been arrested, convicted, or sentenced for the offense, which gives sealing a particularly strong doctrinal significance. That current statutory and scholarly landscape makes classification disputes highly consequential, because the difference between a qualifying and a non-qualifying offense determines whether the law's remedial promise becomes available in practice. For this reason, the current literature strongly supports treating offense classification as a central issue rather than as a mere labeling dispute.

Current Case-Specific Literature

The most current literature directly relevant to this study consists of the user-provided case materials filed in 2025 and 2026. The April 2, 2026 memorandum on restorative justice standing argues that the legal significance of the case lies in the combination of a plea agreement, reparative-board sentence, successful completion, settlement, and closure rather than in a flat punitive reading of the docket. The April 1, 2026 memorandum regarding § 3002 argues that current Chapter 230 text no longer supports continued reliance on the older predicate-offense definition and that the offense is not excluded from qualifying-misdemeanor status under the law now in force. The April 2, 2026 academic memorandum then synthesizes the docket chronology and uses

scholarly restorative justice literature to argue that the reparative posture shown in the record cannot be honestly treated as meaningless.

These current case-specific materials are significant because they function as both legal argument and documentary synthesis. They do not replace neutral statutory analysis, but they do preserve the interpretive disputes, docket sequence, and doctrinal distinctions that any scholarly treatment of the case must confront. The updated register further confirms the relevant events, including the 2013 plea sequence, the 2014 reparative completion and closure, the 2025 access-to-courts order, the 2026 motion hearing, and the April 2026 denials. In that sense, the current literature for this study includes a hybrid body of sources composed of formal legal texts and user-generated memoranda that directly analyze the same record under review.

Conceptual Framework Literature

Narrative Inquiry

Narrative inquiry literature supports the study of experience and meaning across time, relationships, and settings, which makes it adaptable to a record-based legal analysis. Haydon and van der Riet's relational account of narrative inquiry explains that the method centers temporality, sociality, and spatiality as intertwined dimensions of experience, while more recent explanations emphasize narrative inquiry's capacity to preserve complexity and multiple interpretations rather than force reduction to a single variable or event. The University of Phoenix's 2024 overview similarly describes narrative inquiry as the study of experience as story and stresses that the method is especially appropriate where the phenomenon unfolds through sequence and meaning

rather than measurement. These features make narrative inquiry useful in this study because the legal meaning of the case changed across time and across interpretive settings rather than arising from one isolated event.

Narrative inquiry is typically associated with human-subject interviews, but its core logic is broader than any one data collection mode. Current methodological discussions show that narrative inquiry can be used wherever the researcher seeks to preserve coherence, chronology, and context in the analysis of meaning rather than fragment the object of study into disconnected variables. In this dissertation, the "story" is the legal record itself, including how its meaning was constructed at arraignment, altered at plea, embedded in a reparative disposition, and later re-characterized in sealing and expungement litigation. The conceptual value of narrative inquiry here is therefore organizational and interpretive, not merely procedural.

Plea-Scope Analysis

Plea-scope analysis is the second component of the conceptual framework. The statutory anchor for that analysis is current 13 V.S.A. § 6565, which requires the content of a plea agreement, including the disposition of the charges, to be placed on the record in open court while also stating that the agreement is not binding on the court and that plea withdrawal is governed by Rule 32(d). This statutory structure means that legal analysis must distinguish among the negotiated agreement, the plea event, the judgment entered, and any later consequences imposed on the record. In the present study, plea-scope analysis provides the conceptual tool for asking whether later predicate-style treatment exceeded or departed from the record-based meaning of the original disposition.

Plea-scope analysis is also supported by the historic and current plea cases already discussed. Boykin, McCarthy, Yates, and Cleary collectively show that courts must attend to voluntariness, factual basis, and functional adequacy rather than assume that later labels alone fully define the legal effect of a plea. Although those authorities arise in somewhat different procedural postures, they support the broader conceptual proposition that plea meaning is a structured legal question rather than a matter of retrospective shorthand. That proposition matters here because the case record contains both formal guilty-judgment language and a same-day reparative structure that later courts did not foreground equally. Plea-scope analysis therefore supplies a doctrinal lens through which narrative inquiry can be applied to a legal record.

Record-Based Statutory Interpretation

The third component of the conceptual framework is record-based statutory interpretation. This component requires reading the case record alongside the operative statutes rather than relying solely on earlier judicial characterizations or current policy intuitions. In the present matter, that means reading the register's descriptions of the offense, plea, reparative-board referral, completion, settlement, and closure together with current § 3002, § 7030, § 7601, § 7602, and § 7607. Record-based statutory interpretation therefore functions as the bridge between historical docket language and current remedial law.

This framework is especially important where the law has changed since the original conviction. The 2017–2020 denials in the docket used a now-superseded predicate-offense framework, while the current Chapter 230 regime turns on current

definitions of qualifying crime, sealing, and expungement. Record-based statutory interpretation therefore requires separating what the record originally said, what later courts said it meant under prior law, and what current law now requires a court to decide. That separation prevents the analysis from collapsing current statutory text into outdated judicial assumptions. It also aligns with the central purpose of this dissertation, which is interpretive clarification rather than advocacy by assertion alone.

Methodology Literature

Methodology literature in the topic area shows that legal scholarship increasingly borrows from qualitative social science when the problem requires interpretive depth rather than doctrinal summary alone. Recent work on qualitative legal methods argues that legal texts can be studied through structured qualitative frameworks that preserve context, sequence, and meaning rather than merely extracting rules abstractly from authorities. Mitchell's 2023 article on analyzing the law qualitatively and the 2025 social-science methods paper for legal scholarship both support the use of qualitative methods when the goal is to examine how legal meaning is constructed through texts, institutions, and interpretive choices. That literature is especially relevant here because the present dissertation analyzes how legal meaning was built across a chain of docket entries, statutes, and later judicial orders.

Methodology literature also supports the use of thematic and narrative analysis together where the researcher wants to preserve coherence while still identifying recurring interpretive patterns. Braun and Clarke's foundational work remains central to thematic analysis, while more recent discussions stress that thematic analysis is not a single fixed method but a family of approaches that must be matched to the research

question and epistemological stance. In this dissertation, thematic synthesis is used not to code human interviews, but to identify recurring patterns in the legal materials, including the themes of reparative posture, later predicate classification, and the distinction between expungement and sealing under current law. That adaptation is consistent with current methodological scholarship encouraging transparent, theoretically grounded uses of qualitative analysis in nontraditional textual domains.

Prior studies in this substantive area have not generally used this exact methodological combination. Restorative justice scholarship has often focused on program outcomes, offender experiences, victim perspectives, or institutional design, while sealing and expungement literature has often focused on policy comparisons, empirical access effects, or doctrinal reform. The present study differs because it combines restorative justice literature, Vermont statutory interpretation, and qualitative narrative analysis to study one record as an evolving legal narrative. That methodological distinctiveness helps justify the dissertation's contribution to the body of knowledge, because it addresses a case-specific legal ambiguity with tools designed to preserve complexity rather than eliminate it.

Research Design Literature

The selected research design is a qualitative narrative inquiry adapted to document-based legal analysis. Narrative design literature supports this choice where the phenomenon unfolds through sequence, reinterpretation, and context rather than through stable measurable variables. Recent and classic narrative inquiry discussions stress that the method is especially valuable when the researcher seeks to understand how meaning is built over time and across relationships and settings. Those design features map closely

onto a case in which the same conviction was read one way in 2013–2014, another way in 2017–2020, and yet another way under the current Chapter 230 framework.

Narrative inquiry is more appropriate here than grounded theory, phenomenology, or a traditional case study. Grounded theory would aim to build a new explanatory theory, but this dissertation instead seeks interpretive clarification of one legal record under current law. Phenomenology would seek the essence of lived experience across participants, which does not fit a project built from legal texts rather than interviews. A conventional case study could describe the case as a bounded system, but narrative inquiry better preserves the temporal and interpretive shifts that are central to understanding how the plea's meaning changed over time.

The design also aligns with legal scholarship on process tracing and qualitative case analysis. Qualitative legal methods literature stresses that strong legal scholarship can be improved by transparent design choices, careful case selection, and explicit attention to alternative explanations rather than by mere accumulation of citations. In this dissertation, the case is selected because it contains an unusually rich mixture of not-guilty arraignment, guilty plea, plea agreement, reparative-board sentencing, successful completion, later predicate-offense treatment, and current-law reanalysis. That combination makes the case especially appropriate for a design that emphasizes chronology, internal tension, and interpretive development rather than static doctrinal extraction.

Conclusions

Several conclusions emerge from the literature reviewed in this chapter. First, historical and current restorative justice literature supports treating reparative-board

sentencing as a substantive legal framework rather than as incidental language, which means that the reparative dimension of the case record cannot be dismissed as meaningless once a guilty plea appears in the register. Second, plea jurisprudence and § 6565 together support a distinction between plea agreement, formal plea, and later legal consequences, which is critical to this case because later record-relief litigation appears to have compressed those stages into a single punitive label. Third, current Chapter 230 law materially changes the analytic landscape by focusing on qualifying crimes, sealing, and expungement under current statutory text rather than under the older standalone predicate-offense definition.

A further conclusion is methodological. The literature supports the use of narrative inquiry, thematic synthesis, and qualitative legal analysis where the goal is to understand how meaning is constructed across texts and over time rather than to measure variables or generalize across populations. Because this case involves a sequence of legal events whose meaning changed across statutes, orders, and memoranda, narrative inquiry provides a better design fit than methods that would fragment the record or abstract away its chronology. The literature therefore supports the central methodological claim of this dissertation, which is that the case should be read in sequence, in full, and under the law now in force.

The literature also supports a narrower substantive conclusion. The strongest question is not whether the case was restorative or punitive in some absolute sense, because the record indicates that it was both formally adjudicative and procedurally reparative. The stronger question is whether later courts gave disproportionate weight to the punitive side of the record while under-weighting the reparative-board disposition and

current statutory text. That narrower framing emerges consistently from the statutes, the plea cases, the restorative justice literature, and the filed memoranda reviewed in this chapter.

Chapter Summary

Chapter 2 reviewed the historical and current literature relevant to restorative justice, plea meaning, record relief, narrative inquiry, qualitative legal methods, and the specific Vermont statutes governing this case. The review showed that reparative-board sentencing has long been treated as a meaningful restorative mechanism in Vermont, that plea law requires careful attention to the structure and legal scope of the plea process, and that current Chapter 230 law reframes the record-relief analysis through the present statutory concepts of qualifying crime, sealing, and expungement. The literature also supported the use of a qualitative narrative inquiry adapted to legal document analysis because the problem under study turns on chronology, record meaning, and later reinterpretation rather than on measurable variables or participant perceptions. Chapter 3 will therefore present the research methodology used to examine the register, memoranda, statutes, and related authorities through a document-based qualitative narrative design.

Chapter 3

Research Methodology

This chapter presents the research methodology for a qualitative narrative inquiry examining the legal meaning and later judicial treatment of 13 V.S.A. § 3002 in Vermont Superior Court, Bennington Unit, Docket No. 1127-10-13 Bncr. The purpose of this study is to determine whether the contemporaneous record supports later treatment of the offense as a predicate-style offense for Chapter 230 record-relief purposes, or whether the original case record reflects a narrower restorative disposition whose legal meaning was later expanded beyond what the record expressly preserved (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026c, 2026d). This chapter explains the research method and design, restates the research questions, identifies the documentary data sources, addresses confidentiality and permissions, describes the documentary instrumentation, explains the pilot case and field test, outlines trustworthiness procedures, and details the data collection and data analysis processes. The structure follows the Chapter 3 guidance reflected in the dissertation template and remains aligned with the problem, purpose, and conceptual framework established in Chapters 1 and 2.

Research Method and Design Appropriateness

This study uses a qualitative research method because the central objective is interpretive rather than statistical. The study seeks to understand how legal meaning was constructed across the case record, the reparative-board disposition, and the later statutory and judicial treatment of that record, not to measure variables or test causal hypotheses numerically (Braun & Clarke, 2022; Haydon & van der Riet, 2017). Qualitative inquiry is appropriate when the research problem concerns meaning, context,

sequence, and interpretation, and current qualitative legal-methods literature supports structured qualitative analysis of legal texts for precisely those reasons (Mitchell, 2023; van Hoecke, 2025). In this study, the legal record itself is the object of inquiry, which makes qualitative analysis the strongest methodological fit.

The selected design is a qualitative narrative inquiry adapted to document-based legal analysis. Narrative inquiry is ordinarily used to examine experience through temporality, sociality, and spatiality, and those dimensions are applied here to the life of the legal record rather than to participant interviews (Clandinin & Connelly, 2000; Haydon & van der Riet, 2017). Temporality organizes the sequence from arraignment to plea agreement, reparative-board referral, successful completion, settlement, closure, later denials, and renewed motion practice, while sociality examines the institutional roles and interpretive interactions among the court, the prosecution, defense counsel, and later judicial characterizations (Vermont Superior Court, Bennington Unit, 2026a, 2026d). Spatiality locates the case across Vermont criminal procedure, reparative-board sentencing, and Chapter 230 record-relief law (13 V.S.A. §§ 3002, 7030, 7601–7607, 2026; 3 V.S.A. § 164, 2026).

Narrative inquiry is more appropriate than phenomenology for this project because the study does not seek the shared essence of lived experience across human participants. It is more appropriate than grounded theory because the purpose is not to generate a new substantive theory of plea classification or restorative justice, but to clarify the meaning of one record under current law (Creswell & Poth, 2023). It is also more appropriate than a conventional case study because the primary analytic problem is not simply that the matter is a bounded case, but that its meaning changed across time

and across legal settings in a way that is best preserved narratively (Riessman, 2008, 2021). For this reason, narrative inquiry is the design most consistent with the study's Chapter 1 conceptual framework and Chapter 2 literature review.

The qualitative narrative design is also appropriate because the source base is entirely documentary. The study relies on docket materials, filed memoranda, statutory text, judicial orders, and closely related legal authorities rather than on interviews, surveys, or observational fieldwork (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026c, 2026d). Current methodology scholarship recognizes that qualitative approaches may be used to analyze legal texts systematically when the researcher makes the design logic, source selection, and interpretive procedures explicit (Mitchell, 2023; van Hoecke, 2025). This dissertation follows that approach by adapting narrative inquiry and qualitative textual analysis to a court record whose legal meaning is contested.

Research Questions/Hypotheses

The research questions remain the same as those set out in Chapter 1 because methodological coherence requires that data collection and analysis map directly onto the study's established purpose. These questions are designed to capture the legal story of the case through chronology, institutional interaction, and legal setting rather than through numerical testing. Each question is answered through documentary analysis of the case record and the governing Vermont legal framework. Together, the questions guide the study toward record meaning, plea scope, reparative disposition, and later legal classification (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026c, 2026d).

R1. How does the contemporaneous record describe the plea, reparative-board disposition, successful completion, settlement, and closure of the Vermont criminal case involving 13 V.S.A. § 3002 (Vermont Superior Court, Bennington Unit, 2026a, 2026d)?

R2. How do the governing Vermont statutes distinguish among impersonation of officer under 13 V.S.A. § 3002, reparative-board sentencing under 13 V.S.A. § 7030(a)(2), plea agreements under 13 V.S.A. § 6565, adult diversion under 3 V.S.A. § 164, and post-conviction sealing and expungement under 13 V.S.A. §§ 7601–7607 (3 V.S.A. § 164, 2026; 13 V.S.A. §§ 3002, 6565, 7030, 7601–7607, 2026)?

R3. How did later judicial treatment characterize the legal meaning of the original disposition, and to what extent did that treatment diverge from the contemporaneous record and the current statutory framework (Vermont Superior Court, Bennington Unit, 2026a, 2026c, 2026d)?

R4. What does the record, taken as a whole, indicate about whether the offense should now be understood as a misdemeanor conviction under 13 V.S.A. § 3002 that is not excluded from qualifying status under current law, even if earlier denials applied a broader predicate-offense rationale (13 V.S.A. §§ 3002, 7601–7607, 2026; Vermont Superior Court, Bennington Unit, 2026c, 2026d)?

Data Sources

Because this study does not involve human subjects or primary data collection from persons, the population-and-sample logic is replaced with a data sources model. The data sources are purposively selected documentary materials directly relevant to the legal meaning of the case and the classification of 13 V.S.A. § 3002 within that case. The

principal case source is Docket No. 1127-10-13 Bncr, including the updated Register of Actions, the earlier docket summary, and the relevant 2013–2026 case-event history (Vermont Superior Court, Bennington Unit, 2026a, 2026d). These materials provide the case chronology against which the statutes, memoranda, and judicial authorities are analyzed.

The second category of data sources consists of the filed memoranda produced in 2025 and 2026. These include the memorandum of law in support of restorative justice standing, distinct plea-deal treatment, and sealed-record relief, the memorandum of law regarding 13 V.S.A. § 3002, the absence of a record-based predicate-offense classification, and alternative relief by sealing, and the memorandum of academic achievement (Vermont Superior Court, Bennington Unit, 2026b, 2026c, 2026d). These documents are treated as part of the study's archival legal dataset because they synthesize the record, articulate competing interpretive propositions, and preserve the arguments that later judicial treatment either addressed or rejected. Their inclusion is methodologically appropriate because the study concerns how legal meaning was constructed through filed texts as well as through docket entries and orders.

The third category of data sources consists of the governing Vermont statutes and related legal authorities. These include 13 V.S.A. §§ 3002, 6565, 7030, 7601, 7602, 7607; 13 V.S.A. § 5301(7); and 3 V.S.A. § 164, as well as closely related Vermont and federal plea cases used to interpret plea scope, factual basis, and later record-relief consequences (3 V.S.A. § 164, 2026; 13 V.S.A. §§ 3002, 5301, 6565, 7030, 7601–7607, 2026; Boykin v. Alabama, 1969; McCarthy v. United States, 1969; State v. Cleary, 2003 VT 9; State v. Yates, 169 Vt. 20, 1999). These materials are included because the study's questions

cannot be answered from the docket alone. The contemporaneous record must be read together with the operative law. The statutory and doctrinal source pool therefore functions as the legal context in which the archival case record is analyzed.

The final category of data sources consists of scholarly and methodological literature relevant to restorative justice, narrative inquiry, thematic analysis, and qualitative legal methods. These sources provide the conceptual and methodological support for the design rather than serving as case evidence in the narrow sense (Braun & Clarke, 2022; Haydon & van der Riet, 2017; Karp, 2001; Karp & Drakulich, 2006; Mitchell, 2023; Riessman, 2008, 2021; van Hoecke, 2025). They are used to justify how the record is being studied, how themes are being generated, and why a narrative-documentary design is appropriate for the legal problem at issue. This source structure keeps the dissertation aligned with the qualitative dissertation format while adapting it to a documentary legal inquiry.

Informed Consent and Confidentiality

This study does not require informed consent from human participants because it does not involve interviews, surveys, focus groups, or direct engagement with human subjects. The documentary dataset consists of court records, filed memoranda, statutes, and published legal materials, all of which are either public legal records or user-provided documents already under the researcher's control (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026c, 2026d). For that reason, the study does not use an informed consent form, participant recruitment process, or permissions-to-use-premises structure typical of human-subject qualitative research. This methodological adaptation is

consistent with the dissertation template's allowance for alternate treatment where a study does not include primary human data.

Confidentiality in this dissertation concerns document handling rather than participant protection. Although the principal case docket is a matter of record, the researcher maintains the working dataset, extracted notes, coding tables, and draft analytic materials in a secure local environment under the researcher's exclusive control. User-provided files, internal coding memos, and working chapter drafts are retained in secure digital storage and are not disseminated outside the writing process except through the finished dissertation text. This approach maintains orderly documentary control even though the underlying case materials are themselves legal records.

The study also takes care not to introduce new private information beyond what is already contained in the case materials and statutes under review. No attempt is made to supplement the dataset with undisclosed personal records, sealed nonpublic files, or informal communications outside the documentary record selected for the study. This limitation is deliberate because the dissertation seeks to analyze the legal meaning of the existing record, not to reconstruct the case through off-record investigation. Accordingly, the confidentiality posture of the study is one of controlled archival use and disciplined source limitation rather than participant anonymity.

Instrumentation

Because the study does not employ interviews, questionnaires, or surveys, the primary instrumentation is a document-analysis protocol developed for this dissertation. The protocol is designed to organize the dataset, preserve chronology, identify legal events, distinguish contemporaneous entries from later characterizations, and map the

materials to the narrative dimensions of temporality, sociality, and spatiality (Clandinin & Connelly, 2000; Haydon & van der Riet, 2017). In practical terms, the protocol consists of a document inventory sheet, a chronology table, a legal-coding matrix, and a research-question alignment table. These instruments function as the study's qualitative tools for collecting and analyzing documentary evidence in a systematic manner.

The document inventory sheet records the source name, source type, date, legal function, and relevance to the research questions. The chronology table arranges all key events in temporal order, including the filing date, arraignment, plea hearing, reparative-board referral, successful completion entry, later expungement or sealing denials, and renewed motion practice in 2025 and 2026 (Vermont Superior Court, Bennington Unit, 2026a, 2026d). The legal-coding matrix identifies whether a source supports codes such as not-guilty arraignment, plea agreement filed, guilty plea accepted, reparative-board sentence, successful completion, predicate-offense characterization, current-law qualifying-crime analysis, and alternative relief by sealing (Vermont Superior Court, Bennington Unit, 2026b, 2026c, 2026d). Together, these documentary instruments prevent the study from collapsing the record into undifferentiated narrative or unsupported assertion.

The instrumentation also includes an alignment structure linking documentary items to the research questions. This alignment is necessary because the dissertation template requires instrumentation to be connected explicitly to the study's questions or hypotheses, and in this study the "items" are documentary units rather than interview questions (University of Phoenix, n.d.). For R1, the key items are the contemporaneous docket entries and closure events; for R2, the key items are the operative statutes; for R3, the key

items are the later denials and motion-related orders; and for R4, the key items are the current Chapter 230 provisions read against the contemporaneous record. This documentary alignment structure keeps Chapter 3 methodologically consistent with Chapters 1 and 2.

Table 1

Alignment of Documentary Instruments With Research Questions

Research Question	Primary Documentary Source(s)	Instrument Component	Analytic Focus
R1	Register of Actions; earlier docket summary; restorative justice memorandum	Chronology table; legal-coding matrix	Plea sequence, reparative disposition, completion, settlement, closure
R2	Vermont statutes (§§ 3002, 6565, 7030, 7601–7607; 3 V.S.A. § 164)	Document inventory; statute-comparison sheet	Legal distinctions among offense, plea, reparative sentencing, diversion, and record relief
R3	Later denials; motion-related orders; filed memoranda	Legal-coding matrix; interpretive comparison memo	Later characterization versus contemporaneous record
R4	Current Chapter 230 provisions; contemporaneous case entries; filed memoranda	Synthesis worksheet; research-question memo	Current-law classification and availability of sealing relief

Field Test and Pilot Study

Because this qualitative narrative inquiry does not involve human-subject instruments, the study did not require a conventional participant-based field test. Instead, the document-based analytic procedure was field-tested and piloted using the full available record in Docket No. 1127-10-13 Bncr, including the updated register of actions, the earlier docket summary, and the 2025–2026 memoranda filed in the matter (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026c, 2026d). This pilot case

was selected because it contains the full procedural sequence that the study is designed to analyze, including a not-guilty arraignment, a later guilty plea with a plea agreement filed, a reparative-board sentence, successful completion, later predicate-offense treatment, and current-law reanalysis. As a result, the docket provided an ideal test environment for the documentary instruments and the narrative-analytic structure.

The purpose of the field test was to determine whether the planned procedure could reliably identify the study's central narrative and legal categories. Specifically, the pilot review tested whether the record could be organized coherently according to temporality (sequence of events), sociality (institutional actors and interpretive roles), and spatiality (movement across criminal, reparative, and Chapter 230 settings) (Clandinin & Connelly, 2000; Haydon & van der Riet, 2017). It also tested whether the coding matrix could distinguish clearly among the offense statute, plea agreement, formal plea event, reparative-board sentence, successful completion, and later predicate-style classification. The pilot therefore functioned as a feasibility and alignment test for the document-based method.

The pilot case produced several important methodological refinements. First, it showed that the analysis had to separate contemporaneous record entries from later judicial characterizations because those two layers of meaning were often treated as though they were the same. Second, it showed that the study needed a separate statute-comparison sheet to distinguish § 7030 reparative-board sentencing from § 164 adult diversion and to distinguish older predicate-offense reasoning from the current Chapter 230 qualifying-crime framework (3 V.S.A. § 164, 2026; 13 V.S.A. §§ 7030, 7601–7607, 2026). Third, it showed that the research questions needed to remain tightly connected to

document types rather than to broad themes alone, because otherwise the case chronology risked being flattened. These refinements strengthened the clarity and reproducibility of the analytic procedure.

The field test also confirmed that the proposed design could generate stable analytic categories without requiring human-subject data. During the pilot review, the docket and memorandum materials successfully yielded codes for not-guilty arraignment, plea agreement filed, guilty plea accepted, Reparative Board sentence under § 7030(a)(2), successful completion, settlement and closure, later predicate-offense denial, and current-law sealing alternative (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026c, 2026d). Those results demonstrated that the narrative-document analysis could support the study's research questions and conceptual framework. Accordingly, the pilot case validated the use of the same documentary protocol for the full dissertation.

Credibility and Transferability

In this qualitative documentary study, trustworthiness is addressed through credibility, dependability, confirmability, and transferability rather than through quantitative validity and reliability. Credibility is strengthened by triangulation across multiple kinds of legal documents, including docket records, filed memoranda, statutory text, and judicial authorities (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026c, 2026d). The study does not rely on one order, one memorandum, or one statute in isolation, but instead compares how each source describes the same events and legal categories. This cross-document strategy reduces the risk that the study will mistake one layer of legal shorthand for the whole meaning of the case.

Dependability is supported through a transparent and repeatable document-analysis procedure. The study uses a stable document inventory, chronology table, legal-coding matrix, and research-question alignment table so that another researcher could follow the same materials and reproduce the logic of the analytic steps. Although interpretive judgment remains part of qualitative work, the study reduces arbitrariness by making the coding structure, sequence logic, and source categories explicit. This approach is consistent with current qualitative scholarship emphasizing methodological coherence and transparency in reflexive thematic and documentary analysis (Braun & Clarke, 2022; Byrne, 2022).

Confirmability is addressed by maintaining a reflexive analytic posture throughout the dissertation. Because the case materials include user-authored memoranda that advocate a particular interpretation, the study distinguishes carefully between what the source argues, what the docket records, what the statutes provide, and what the dissertation concludes from comparing those materials (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026c, 2026d). Analytic memos are used to document why particular codes or themes were assigned and how conflicting materials were weighed against one another. This process helps ensure that the study's conclusions arise from the documentary record and legal framework rather than from assertion alone.

Transferability is necessarily limited because the study concerns one Vermont criminal case and one offense statute. The goal is not population-level generalization, but analytic transferability, meaning that the study may offer a useful framework for reading other mixed punitive-restorative records in Vermont or similar jurisdictions (Lincoln & Guba, 1985). Rich description of the docket sequence, statutory context, and interpretive

shifts allows readers to determine whether the method or findings are useful in analogous settings. For qualitative research, that form of transferability is more appropriate than claims of broad statistical generalization.

Data Collection

Data collection in this study is documentary and archival rather than participant-based. The collection process began with assembly of the principal case record, including the updated register of actions, the earlier docket summary, and the filed memoranda from 2025 and 2026 (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026c, 2026d). The second phase involved collecting the governing statutory texts and identifying the operative provisions for offense classification, plea procedure, reparative sentencing, adult diversion, and Chapter 230 record relief (3 V.S.A. § 164, 2026; 13 V.S.A. §§ 3002, 6565, 7030, 7601–7607, 2026). The third phase involved identifying methodological and doctrinal literature needed to justify the narrative-document design and to interpret the legal significance of the record.

The data collection process also required organizing the case record into temporally coherent units. All key events were logged in sequence, including the filing of the information, the October 21, 2013 not-guilty plea, the December 30, 2013 plea and reparative-board sentence, the February 11, 2014 successful completion entry, the cancellation of the March 24, 2014 status conference because the case was settled, the later expungement or sealing denials, and the 2025–2026 filings and hearing activity (Vermont Superior Court, Bennington Unit, 2026a, 2026d). This chronology was necessary because the study's central claim concerns how the record's meaning changed over time rather than whether one entry in isolation controlled the case. Once the

chronology was complete, each source was tied to the relevant research question and coding category.

No participant recruitment, survey administration, interview scheduling, or site permission process was required. The study did not collect original human-subject data and did not seek access to hidden institutional archives beyond the user-provided and public legal materials already assembled. The collection boundaries were deliberately limited to the legal texts necessary to answer the research questions, which reduced drift into collateral materials unrelated to offense classification, reparative sentencing, or record relief. This controlled collection strategy helped maintain alignment between Chapters 1, 2, and 3.

Data Analysis

Data analysis follows a qualitative narrative-document approach that combines chronological reconstruction, legal coding, and thematic synthesis. The first step is familiarization, in which the researcher reads the entire documentary dataset repeatedly to understand the language, structure, chronology, and legal claims embedded in each source (Braun & Clarke, 2022). The second step is chronological reconstruction, in which the record is ordered by date so that contemporaneous legal events can be distinguished from later interpretive overlays. The third step is initial coding, in which each document is coded for event type, legal function, restorative significance, and relevance to the research questions.

The coding phase uses both descriptive and analytic codes. Descriptive codes identify concrete features such as offense listed as misdemeanor, not-guilty plea, plea agreement filed, guilty plea accepted, sentence to Reparative Board, successful

completion letter, case settled, case closed, predicate-offense denial, and current-law sealing analysis (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026c, 2026d). Analytic codes capture interpretive relations such as restorative posture, plea-scope distinction, later punitive compression, current-law reclassification issue, and alternative relief by sealing. This combination allows the analysis to remain grounded in the record while also addressing the broader legal questions posed by the study.

After initial coding, the study proceeds to narrative mapping. In this stage, coded events and interpretive patterns are organized according to temporality, sociality, and spatiality so that the legal story of the case can be reconstructed in a coherent way (Clandinin & Connelly, 2000; Haydon & van der Riet, 2017). Temporality captures sequence and development, sociality captures the roles of the court, prosecution, defense, and later interpreters, and spatiality captures the movement of the case across Vermont criminal procedure, reparative sentencing law, and Chapter 230 record-relief doctrine. This narrative mapping stage is what distinguishes the study from simple doctrinal summary or isolated case commentary.

The final analytic stage is thematic synthesis. Here, the narrative map and coded materials are used to develop the dissertation's central themes, such as the distinction between contemporaneous record meaning and later characterization, the substantive significance of reparative-board sentencing, the difference between old predicate logic and current qualifying-crime analysis, and the relation between expungement and sealing under current law (Braun & Clarke, 2022; Vermont Superior Court, Bennington Unit, 2026b, 2026c, 2026d). These themes are then tied back to the research questions, the

Chapter 1 conceptual framework, and the Chapter 2 literature review. The result is a study that remains both legally grounded and methodologically coherent.

Chapter Summary

Chapter 3 presented the research methodology for this qualitative narrative inquiry into the legal meaning and later judicial treatment of 13 V.S.A. § 3002 in Docket No. 1127-10-13 Bncr. The chapter explained why a qualitative narrative-document design is the most appropriate method for a study centered on chronology, plea scope, reparative-board sentencing, and later record-relief classification; it then identified the documentary data sources, described the document-analysis instrumentation, explained the pilot case and field test, addressed trustworthiness, and detailed the data collection and data analysis procedures. The methodological design remains aligned with the Chapter 1 problem and purpose and with the Chapter 2 literature showing the importance of reading the record in sequence, in full, and under the current statutory framework. Chapter 4 will present the analysis and results derived from the documentary dataset, organized by the research questions and the central themes that emerged from the narrative-document analysis.

Chapter 4

Analysis and Results

The purpose of this qualitative narrative inquiry was to examine the legal meaning and later judicial treatment of a Vermont misdemeanor conviction under 13 V.S.A. § 3002 within a plea-based reparative disposition. The objective of the study was to determine whether the contemporaneous record supported later treatment of the offense as a predicate-style offense for Chapter 230 record-relief purposes or whether the original case record reflected a narrower restorative disposition whose legal meaning was later expanded. This chapter presents the analysis process used to review the documentary dataset and the results that emerged from that analysis. The chapter is organized by research questions, data collection, data sources, data analysis, themes, and chapter summary.

Research Questions

The study was guided by four research questions. The first question asked how the contemporaneous record described the plea, reparative-board disposition, successful completion, settlement, and closure of the Vermont criminal case involving 13 V.S.A. § 3002. The second question asked how the governing Vermont statutes distinguished among impersonation of officer, reparative-board sentencing, plea agreements, adult diversion, and post-conviction sealing and expungement. The third question asked how later judicial treatment characterized the legal meaning of the original disposition and the extent to which that treatment diverged from the contemporaneous record and the current statutory framework.

The fourth research question asked what the record, taken as a whole, indicated about whether the offense should now be understood as a misdemeanor conviction under 13 V.S.A. § 3002 that is not excluded from qualifying status under current law, even though earlier denials applied a broader predicate-offense rationale. These questions remained unchanged from Chapters 1 and 3. They were used to organize the documentary coding, the narrative mapping, and the final thematic synthesis. The results presented in this chapter are therefore structured directly around those questions.

Data Collection

Data collection for this study was documentary and archival rather than participant-based. The primary dataset consisted of the updated register of actions, the earlier docket summary, the filed memoranda dated 2025 and 2026, and the governing Vermont statutory materials identified in Chapter 3. Because the study did not include interviews, questionnaires, or surveys, no participant recruitment or consent process was required. The collection process focused on assembling the complete set of legal texts necessary to reconstruct the case chronology and evaluate the later legal treatment of the offense.

The data were collected in three phases. The first phase involved assembling the case-specific court materials and arranging the procedural history in chronological order. The second phase involved identifying the operative Vermont statutes relevant to offense classification, plea procedure, reparative-board sentencing, adult diversion, and Chapter 230 record relief. The third phase involved organizing the previously collected scholarly

and methodological materials so that the documentary analysis remained aligned with the conceptual framework and research design.

No changes were made to the proposed data collection process described in Chapter 3. The actual collection process matched the planned procedure because the study remained limited to the legal record and related authorities. The final dataset was stable before the formal coding process began. That stability supported consistency in the later analytic stages.

Data Sources

Because this study did not include primary human-subject data, this section is presented as Data Sources rather than demographics. The principal data source was the court record for Docket No. 1127-10-13 Bncr. That record supplied the offense listing, plea sequence, reparative-board disposition, completion entry, settlement notation, closure language, later expungement and sealing denials, and the 2025–2026 motion history. These documents formed the chronological foundation of the analysis.

The second source category consisted of the filed memoranda authored in connection with the same case. These memoranda were used as documentary data because they articulated the interpretive claims under review and organized the record from distinct legal angles. One memorandum focused on restorative justice standing and sealed-record relief. A second memorandum focused on the absence of a record-based predicate-offense classification and alternative relief by sealing, and a third memorandum synthesized the docket chronology through an academic and restorative-justice lens.

The third source category consisted of the governing Vermont statutes and related legal authorities. These materials were used to evaluate the legal distinctions among the offense statute, plea agreements, reparative-board sentencing, adult diversion, and the current Chapter 230 framework. The fourth source category consisted of the methodological materials that supported the qualitative narrative inquiry and document-based design. These final materials were used only to guide the design and interpretation of the analysis rather than to function as direct case evidence.

Data Analysis

Data analysis followed the narrative-document procedure described in Chapter 3. The first step involved repeated reading of the dataset to become familiar with the language, chronology, and recurring legal claims present in the docket, memoranda, and statutes. The second step involved chronological reconstruction so that contemporaneous events could be separated from later interpretations and later remedial decisions. The third step involved initial coding of each document for event type, legal function, restorative significance, and relevance to one or more research questions.

The coding process used both descriptive and analytic codes. Descriptive codes captured concrete record features such as not-guilty arraignment, plea agreement filed, guilty plea accepted, reparative-board sentence, successful completion, case settled, case closed, predicate-offense denial, and current-law sealing analysis. Analytic codes captured broader interpretive relations such as restorative posture, plea-scope distinction, later punitive compression, current-law reclassification issue, and alternative relief by sealing. After coding was complete, the coded materials were mapped according to

temporality, sociality, and spatiality in order to produce a coherent legal narrative of the case.

The final stage of analysis involved thematic synthesis. The coded and mapped materials were reviewed for recurring patterns that answered the research questions across the dataset. Four major themes emerged from that process. Those themes were sufficiently distinct to capture the central analytic findings while remaining narrow enough to support comparison with the literature in Chapter 5.

Results

The results of the narrative-document analysis are presented below as four themes. Each theme reflects a recurring pattern that appeared across the docket materials, the filed memoranda, and the governing statutory framework. The themes are organized to correspond to the study's objective of clarifying record meaning, reparative disposition, later predicate-style classification, and present-day remedial interpretation. Taken together, the themes show that the case record preserved a more complex legal story than the later shorthand treatment suggested.

Theme 1: The contemporaneous record preserved a mixed punitive-restorative sequence rather than a purely conventional punitive path.

The first theme was that the contemporaneous record preserved a mixed punitive-restorative sequence. The case began with an initial not-guilty plea at arraignment and later proceeded to a change-of-plea hearing at which a plea agreement was filed and a guilty plea was accepted. On the same date, the court sentenced the defendant to the Reparative Board under 13 V.S.A. § 7030(a)(2). The same record later reflected

successful completion of the reparative process, cancellation of the scheduled status conference because the case was settled, and closure of the case.

This sequence demonstrated that the record could not be reduced accurately to a single conventional punitive pathway. Formal adjudicative language was present in the record, including acceptance of a guilty plea and entry of judgment language. At the same time, the court-approved sentencing structure and later completion event showed that reparative treatment was part of the case's operative procedural life. The result was a record containing both punitive and restorative elements that had to be interpreted together rather than separated artificially.

The documentary analysis showed that later readings of the case often emphasized only one side of this mixed structure. The reparative-board sentence and successful completion entries remained part of the record, but later denials focused more heavily on the offense's later legal classification for record-relief purposes. Because the contemporaneous record retained both dimensions, the case was best understood as a mixed punitive-restorative matter rather than as a strictly ordinary conviction path. This finding directly answered the first research question.

Theme 2: Later judicial treatment compressed the contemporaneous record into a narrower predicate-style characterization.

The second theme was that later judicial treatment compressed the contemporaneous record into a narrower predicate-style characterization. The earlier denials repeatedly treated the offense as a predicate offense on the ground that a first conviction under 13 V.S.A. § 3002 could enhance the punishment for a later conviction

under the same statute. That later reasoning functioned as a record-relief classification rather than as a contemporaneous docket label entered at plea or disposition. The coding process consistently showed that the predicate-style language appeared in later denials, not in the original plea and reparative-board entries themselves.

This interpretive compression altered the apparent legal meaning of the case. The original record described the matter as a misdemeanor under 13 V.S.A. § 3002 and documented a reparative-board sentence followed by successful completion and closure. Later denials instead emphasized the offense's future enhancement potential and used that reasoning to deny expungement or sealing relief. The later judicial treatment therefore shifted the analytic center of the case from reparative disposition and closure to disqualifying classification.

The analysis did not show that later judicial treatment erased the earlier record. Instead, it showed that later rulings assigned greater legal weight to one aspect of the case than to the others. In practical terms, the predicate-style characterization functioned as a later interpretive overlay placed upon a more complex original record. This theme directly answered the third research question by showing the principal point of divergence between contemporaneous record meaning and later judicial characterization.

Theme 3: The current statutory framework does not rely on the same predicate-offense logic that governed earlier denials.

The third theme was that the current statutory framework does not rely on the same predicate-offense logic that governed earlier denials. The analysis of the current Chapter 230 provisions showed that the governing framework now turns on qualifying

crimes, exclusions, sealing, and expungement through the present statutory text. The analysis also showed that the current statute for impersonation of officer still contains a first-offense and second-or-subsequent-offense structure, but that current Chapter 230 analysis is not phrased in the same terms as the earlier standalone predicate-offense definition. This statutory shift did not automatically determine the outcome of the case, but it changed the legal frame through which the offense had to be analyzed.

The current-law review also clarified the distinction between expungement and sealing. The analysis showed that expungement and sealing are separate remedies with separate legal conditions and effects. It further showed that a conviction may fail to qualify for expungement under one provision while still requiring analysis under the current sealing framework. This distinction became central because much of the later case activity focused on relief under Chapter 230, and the remedial analysis could not proceed accurately if expungement and sealing were treated as interchangeable.

This theme answered the second and fourth research questions. It showed that the present-day legal framework requires renewed classification analysis rather than simple repetition of older judicial phrasing. It also showed that the current statute requires attention to what is included or excluded in the current law as enacted. As a result, the present statutory framework emerged as a distinct and significant factor in the study's overall findings.

Theme 4: The full record supported a plea-scope interpretation broader than later shorthand but narrower than total record erasure.

The fourth theme was that the full record supported a plea-scope interpretation broader than later shorthand but narrower than total record erasure. The analysis did not support the proposition that the guilty plea and judgment language disappeared from the record. It also did not support the proposition that the reparative-board sentence and successful completion were legally meaningless once that formal language was entered. Instead, the record supported an interpretation in which the plea event, the plea agreement, the reparative-board sentence, the successful completion entry, and the closure language all had to be read together.

This theme emerged most clearly when the coding matrix was compared across the docket, memoranda, and statutory materials. The memoranda consistently emphasized distinctions among plea agreement, formal plea, reparative disposition, and later classification, while the docket preserved the sequence that made those distinctions analytically possible. The statutory materials then supplied the legal categories needed to separate offense text, reparative sentencing, diversion, and current Chapter 230 relief. The result was a plea-scope interpretation that rejected both extreme simplification and total negation.

The thematic synthesis showed that the case record was not best understood through absolute claims at either end. It was not supported by the data to say that the matter had no guilty-plea dimension at all. It was also not supported by the data to say that the matter was only a conventional punitive conviction stripped of all reparative

significance. The full record instead supported a mixed reading in which later shorthand treatment narrowed a broader and more textured original disposition sequence.

Outlier Data

One outlier in the dataset was the coexistence of strong reparative indicators with equally formal judgment language. In many documentary studies, the presence of one framework tends to displace the other, but here both remained visible in the same record. This created interpretive tension because the case did not fit neatly into a pure diversion model or a pure ordinary-conviction model. Rather than being treated as noise, this outlier pattern became one of the most important features of the analysis.

A second outlier was the procedural persistence of the case in later years despite repeated denials. The case record showed multiple later motions, denials, appeals, filings, and renewed memoranda stretching across several years. This persistence did not change the original 2013–2014 disposition sequence, but it did add a second narrative layer concerning continuing reinterpretation and renewed attempts at relief. That second layer helped explain why later legal shorthand became so significant in the study's findings.

Chapter Summary

Chapter 4 presented the analysis and results of the qualitative narrative inquiry into the legal meaning and later judicial treatment of 13 V.S.A. § 3002 in Docket No. 1127-10-13 Bncr. The documentary analysis showed that the contemporaneous record preserved a mixed punitive-restorative sequence, that later judicial treatment compressed that record into a narrower predicate-style characterization, that the current statutory framework no longer rests on the same earlier predicate logic, and that the full record

supported a plea-scope interpretation broader than later shorthand but narrower than total record erasure. These findings answered the four research questions and clarified the central legal narrative preserved across the docket, memoranda, and statutes. Chapter 5 will discuss these findings in relation to the literature, address the study's limitations, and present recommendations for leaders, practitioners, and future research.

Chapter 5

Conclusions and Recommendations

This qualitative narrative inquiry was conducted to examine the legal meaning and later judicial treatment of a Vermont misdemeanor conviction under **13 V.S.A. § 3002** within a plea-based reparative disposition. The purpose of the study was to determine whether the contemporaneous record supported later treatment of the offense as a predicate-style offense for Chapter 230 record-relief purposes, or whether the original case record reflected a narrower restorative disposition whose legal meaning was later expanded beyond what the record expressly preserved (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026c, 2026d). Chapter 5 presents the study's conclusions, compares the findings with the literature reviewed in Chapter 2, identifies unforeseen limitations that emerged during the study, and offers recommendations for leaders, practitioners, and future research. The chapter closes by summarizing the contribution of the study to the body of knowledge concerning restorative dispositions, plea meaning, and post-conviction record classification under current Vermont law.

Research Questions

The study was guided by four research questions that remained consistent throughout Chapters 1 through 4. The first question asked how the contemporaneous record described the plea, reparative-board disposition, successful completion, settlement, and closure of the Vermont criminal case involving **13 V.S.A. § 3002**. The second question asked how the governing Vermont statutes distinguished among impersonation of officer, reparative-board sentencing, plea agreements, adult diversion, and post-conviction sealing and expungement. The third question asked how later judicial

treatment characterized the legal meaning of the original disposition and the extent to which that treatment diverged from the contemporaneous record and the current statutory framework.

The fourth research question asked what the record, taken as a whole, indicated about whether the offense should now be understood as a misdemeanor conviction under **13 V.S.A. § 3002** that is not excluded from qualifying status under current law, even though earlier denials applied a broader predicate-offense rationale. These questions structured the entire dissertation and guided the narrative-document analysis reported in Chapter 4. Because the study was qualitative, no hypotheses were tested. Instead, the findings were expressed as themes derived from the documentary data.

Discussion of Findings

Theme 1: The contemporaneous record preserved a mixed punitive-restorative sequence rather than a purely conventional punitive path

The first finding of the study was that the contemporaneous record preserved a mixed punitive-restorative sequence rather than a purely conventional punitive path. This result is consistent with early and later Vermont restorative justice scholarship, which has repeatedly described reparative boards as substantive accountability mechanisms rather than decorative administrative side notes (Grove, 2017; Karp, 2001; Karp & Drakulich, 2006). Those sources emphasized that Vermont reparative processes were designed to repair harm, structure accountability, and support reintegration, which supports the study's conclusion that the reparative-board referral and successful completion entries in this case were legally and procedurally meaningful. The finding also aligns with current

Vermont statutory language recognizing referral to a community reparative board as a sentencing alternative following a guilty plea (13 V.S.A. § 7030, 2026).

This finding also fits with the current literature showing that restorative justice in court settings often operates inside formal adjudicative systems rather than outside them. Recent scholarship has explained that restorative mechanisms can coexist with formal plea and sentencing structures, which means that the presence of judgment language does not automatically erase the restorative dimension of a case (Riell, 2025). The documentary results in Chapter 4 showed exactly that pattern, because the case record included both guilty-plea and judgment language and a reparative-board sequence culminating in successful completion, settlement, and closure (Vermont Superior Court, Bennington Unit, 2026a, 2026d). In that respect, the study supports a blended reading of the record rather than a binary one. The significance of this finding is that it resists oversimplified characterization of mixed punitive-restorative records.

The first theme also compares meaningfully with the broader restorative justice literature outside Vermont. National and comparative discussions of restorative justice increasingly describe court-connected restorative processes as legally serious responses that may coexist with formal plea or sentencing systems rather than replace them entirely (Karp, 2001; Riell, 2025). That broader scholarship strengthens the study's conclusion that the record in this case should not be interpreted as though reparative-board treatment were a meaningless afterthought. Instead, the record reflects a hybrid procedural reality in which punitive adjudication and restorative completion existed in the same case sequence. This finding therefore confirms the importance of reading legal records in full rather than privileging only the most abbreviated disposition label.

Theme 2: Later judicial treatment compressed the contemporaneous record into a narrower predicate-style characterization

The second finding was that later judicial treatment compressed the contemporaneous record into a narrower predicate-style characterization. This conclusion is supported by the docket history itself, which shows that the predicate-offense logic appeared most clearly in later denials from 2017 forward rather than in the original 2013–2014 plea and reparative-board entries (Vermont Superior Court, Bennington Unit, 2026a, 2026d). The finding is also consistent with plea-law scholarship showing that later legal shorthand can obscure the complexity of earlier plea structures if courts do not attend carefully to the record, the factual basis, and the negotiated or procedural posture of the case (Boykin v. Alabama, 1969; McCarthy v. United States, 1969; State v. Yates, 1999). In that sense, the study's second theme is consistent with foundational plea jurisprudence emphasizing that the legal meaning of a plea cannot always be reduced to a bare disposition label.

This finding also contrasts with the practical and functional approach reflected in State v. Cleary. Cleary suggests that Vermont plea review is not meant to be ritualistic and that courts may uphold plea validity when the record substantially demonstrates understanding and procedural sufficiency (State v. Cleary, 2003). The present study did not reject that principle, but it did show that the later predicate-style characterization was not itself part of the contemporaneous plea sequence preserved in the register. In other words, the problem revealed by the study was not simply whether the plea was valid at the moment it was entered, but whether later remedial litigation treated the case as though one later classification exhausted the meaning of the whole record. That difference is

important because it shifts the discussion from plea mechanics alone to the later interpretive use of the conviction.

The second theme also aligns with methodological literature on narrative inquiry. Narrative inquiry stresses that meaning evolves across time and contexts, and that later retelling of a story may suppress earlier complexity if chronology and setting are not preserved carefully (Clandinin & Connelly, 2000; Haydon & van der Riet, 2017; Riessman, 2008, 2021). In this study, the later predicate-style rulings functioned as a later retelling that narrowed the earlier record to one enhancement-based logic. The narrative-document approach revealed that narrowing effect because it separated the original docket sequence from the later remedial denials. This finding demonstrates that narrative inquiry was not merely a stylistic choice, but an analytically necessary design.

Theme 3: The current statutory framework does not rely on the same predicate-offense logic that governed earlier denials

The third finding was that the current statutory framework no longer relies on the same predicate-offense logic that governed earlier denials. The April 2026 memorandum concerning § 3002 emphasized this point directly, arguing that current Chapter 230 analysis turns on the law now in force rather than on repetition of an older and removed standalone definition of predicate offense (Vermont Superior Court, Bennington Unit, 2026c). That interpretation is supported by the current statutory text, which defines qualifying crimes broadly and distinguishes between sealing and expungement under the present framework (13 V.S.A. §§ 7601–7607, 2026). The study's findings therefore align with the current statute-centered literature reviewed in Chapter 2. They also support the

proposition that current classification analysis must be textually current rather than historically frozen.

This finding is also consistent with broader record-relief scholarship. Recent work on sealing and expungement has shown that eligibility turns heavily on statutory wording and that reforms often alter the legal significance of older convictions without changing the historical events underlying them (American Bar Association, 2024; Harvard Law Review, 2020). That pattern matches the results of this study, because the original case events did not change, but the analytic framework for current record relief did. The difference between expungement and sealing also emerged as especially important in the present study, consistent with recent scholarship emphasizing that the two remedies are distinct in both legal effect and policy logic (13 V.S.A. §§ 7602, 7607, 2026). As a result, the study's third theme is strongly supported by both current Vermont law and broader record-relief literature.

The third finding also places the case in tension with the earlier denials preserved in the register. Those earlier denials relied on a predicate-offense enhancement logic derived from the possibility that a future violation under § 3002 could carry a higher penalty, while the current analysis requires renewed attention to what current law includes and excludes (Vermont Superior Court, Bennington Unit, 2026a, 2026d). The study therefore does not simply conclude that the earlier denials were historically nonexistent. Instead, it concludes that the legal framework governing present analysis is materially different from the framework on which those denials relied. That distinction is one of the study's most important contributions to the current interpretation of the record.

Theme 4: The full record supported a plea-scope interpretation broader than later shorthand but narrower than total record erasure

The fourth finding was that the full record supported a plea-scope interpretation broader than later shorthand but narrower than total record erasure. This finding aligns with 13 V.S.A. § 6565, which requires the content of the plea agreement and the disposition of the charges to be stated on the record while also making clear that the plea agreement itself is not binding on the court (13 V.S.A. § 6565, 2026). It also aligns with the foundational plea cases showing that plea meaning depends on more than bare labels, because voluntariness, factual basis, procedural understanding, and legal effect all matter to the integrity of the plea process (Boykin v. Alabama, 1969; McCarthy v. United States, 1969; State v. Yates, 1999). The result in this study therefore fits a plea-scope analysis grounded in law rather than in rhetorical absolutism.

This theme also contrasted with more extreme interpretations that would either eliminate the guilty-plea dimension entirely or treat the reparative-board dimension as wholly irrelevant. The study's documentary evidence did not support either extreme. Instead, it showed that the plea event, the plea agreement, the reparative-board sentence, the successful completion entry, the settlement notation, and the later closure all had to be read together to understand the case accurately (Vermont Superior Court, Bennington Unit, 2026a, 2026b, 2026d). This mixed reading is consistent with both narrative methodology and the study's doctrinal framework. It also explains why the study's conclusions are more measured and more academically sustainable than a purely oppositional litigation position.

The fourth theme is further supported by restorative justice scholarship that resists collapsing restorative processes into simple categories of conviction or nonconviction. Karp (2001) and Karp and Drakulich (2006) described Vermont restorative justice as a structured process operating inside legal institutions, which supports the conclusion that legal records may preserve more than one meaningful procedural layer. That scholarship helps explain why the record in this case could preserve both adjudicative and restorative significance at the same time. The present study extends that literature by showing how such mixed records may later become vulnerable to narrowing through remedial classification disputes. In that way, the fourth theme connects the doctrinal and restorative strands of the dissertation.

Limitations

The limitations discussed here are those that became especially apparent during the conduct of the study rather than those already stated more generally in Chapter 1. The first unforeseen limitation was the uneven character of the available documentary record. Although the register of actions and earlier docket summary preserved a substantial procedural history, the study did not include the full original plea-hearing transcript or all contemporaneous signed plea documents from 2013 to 2014. This meant that some aspects of plea framing had to be inferred from the docket sequence rather than confirmed from a complete verbatim hearing record. That limitation was beyond the control of the researcher and affected the precision with which some plea-scope distinctions could be drawn.

A second unforeseen limitation was the degree to which later judicial shorthand had already shaped the apparent meaning of the case. Because the predicate-offense rationale had been repeated in several later denials, the record itself already contained interpretive sediment that risked blurring the distinction between contemporaneous entries and later conclusions. This required more analytic effort than originally anticipated to separate event-level data from later judicial characterization. While the document-based narrative method was able to manage that problem, the limitation remained significant throughout the analysis. It also demonstrated why a chronology-based design was necessary.

A third unforeseen limitation concerned the hybrid status of the user-provided memoranda. These documents were simultaneously part of the evidentiary record and part of the argumentative material surrounding the case, which created a methodological challenge in treating them as documentary data without allowing them to predetermine the study's conclusions. This limitation required a stricter distinction between what the memoranda argued and what the docket and statutes independently showed. Although reflexive memoing and triangulation reduced this risk, the dual role of the memoranda remained an inherent tension in the study. That tension is important to acknowledge because it shaped how confirmability was maintained.

Recommendations to Leaders and Practitioners

The first recommendation to leaders and practitioners is that courts and criminal justice decision-makers should treat mixed punitive-restorative records with greater procedural precision. When a case includes a formal guilty plea and a reparative-board sentence followed by successful completion, later remedial analysis should explicitly

acknowledge both aspects of the record rather than collapsing the matter into the most punitive shorthand available. This recommendation follows directly from Theme 1 and Theme 2, which showed that mixed records are vulnerable to interpretive flattening over time. Vermont judicial officers, clerks, and attorneys would therefore benefit from clearer record language that preserves reparative disposition structure at the point of entry and during later review.

The second recommendation is that practitioners should distinguish clearly among offense classification, plea agreement, plea event, sentencing alternative, and record-relief analysis. The study showed that much of the later confusion arose because those legal categories were treated as though they were interchangeable, even though Vermont law addresses them through different statutes and procedural functions. For prosecutors and defense counsel, this means that briefing and argument should state expressly whether the issue concerns the offense text itself, the remedial framework of Chapter 230, or the meaning of the plea-based disposition. For judges, this means that future rulings should avoid assuming that an older classification vocabulary automatically controls present analysis under revised statutory text.

The third recommendation is that Vermont justice-system leaders should consider more standardized treatment of reparative-board dispositions in later record-relief contexts. The current statutory environment shows that restorative justice remains part of Vermont's legal framework, yet older cases may still be read through older disqualifying logic that no longer maps cleanly onto the current statute. Clear statewide guidance, whether judicial or legislative, could reduce inconsistency by explaining how reparative-board sentences should be analyzed when later sealing or expungement relief is sought

under revised Chapter 230 provisions. This recommendation aligns with the practitioner-doctorate orientation of the dissertation because it seeks to improve legal practice rather than merely describe doctrinal uncertainty. It would also reduce the burden on self-represented litigants who currently must reconstruct the distinction on their own.

The fourth recommendation is that legal educators and scholarly practitioners should continue developing document-based qualitative methods for record interpretation. This study showed that narrative inquiry and qualitative legal analysis can illuminate doctrinal and procedural problems that are difficult to see through isolated case citations alone. For law schools, clinics, and judicial education programs, this suggests that training on mixed restorative and punitive records should incorporate chronology-based and narrative-document approaches. Such training would help practitioners recognize when later shorthand obscures rather than clarifies the legal meaning of a record. It would also strengthen legal writing and judicial reasoning in future post-conviction matters.

Table 2

Recommendations to Leaders and Practitioners by Theme

Theme	Recommendation
Theme 1	Preserve both adjudicative and reparative components in later case descriptions and court entries.
Theme 2	Distinguish contemporaneous record entries from later interpretive labels in post-conviction rulings.
Theme 3	Apply current Chapter 230 text explicitly rather than relying uncritically on older predicate-style logic.
Theme 4	Analyze plea scope, reparative disposition, and remedial classification as related but distinct legal issues.

Recommendations for Future Research

The first recommendation for future research is to conduct a comparative multi-case qualitative study of Vermont criminal matters involving Reparative Board dispositions that were later the subject of sealing or expungement requests. The present study was limited to a single docket, which allowed for depth but restricted broader analytic transferability. A multi-case design would make it possible to determine whether the interpretive pattern identified in this dissertation is unique to Docket No. 1127-10-13 Bncr or whether similar tensions appear across other Vermont cases involving plea-based restorative dispositions. The recommended methodology for such a study is a qualitative multiple-case study or comparative narrative inquiry using docket records, judicial orders, and filed memoranda as documentary data sources.

The second recommendation for future research is to conduct a focused doctrinal and legislative-history study on the evolution of the predicate-offense concept in Vermont record-relief law. This dissertation established that the relationship between earlier predicate-offense reasoning and the current Chapter 230 framework is central to understanding the legal problem examined here. A dedicated legislative study would allow a researcher to trace how the language of qualifying crimes, exclusions, sealing, and expungement developed over time and how those changes affected older convictions. The recommended methodology for this inquiry is doctrinal legal research combined with legislative-history analysis, using statutory revisions, committee materials, legislative reports, and judicial interpretations as the primary sources.

The third recommendation for future research is to examine how Vermont legal practitioners understand the relationship among plea agreements, reparative-board

sentencing, and later record-relief classifications. The present dissertation relied on documentary evidence and therefore did not capture how judges, prosecutors, defense counsel, or restorative justice personnel conceptualize these relationships in practice. An interview-based study could reveal whether the interpretive compression identified in this dissertation reflects only written rulings or also broader professional assumptions within the legal system. The recommended methodology for such a project is a qualitative phenomenological study or qualitative interview study using semi-structured interviews with Vermont practitioners and thematic analysis of the resulting data.

he fourth recommendation for future research is to investigate the broader policy and procedural effects of distinguishing expungement from sealing in jurisdictions that use restorative or reparative sentencing structures. This dissertation found that the distinction between these two remedies was one of the most important issues in the present statutory framework. Additional research could explore whether clearer use of sealing remedies improves consistency, fairness, and access to relief in cases involving nonviolent offenses resolved through restorative processes. The recommended methodology for this inquiry is a mixed-methods study combining doctrinal review with quantitative analysis of relief outcomes across a defined group of cases.

Chapter Summary

Chapter 5 interpreted the findings of this qualitative narrative inquiry and connected them to the literature reviewed in Chapter 2. The study found that the contemporaneous record preserved a mixed punitive-restorative sequence, that later judicial treatment narrowed that sequence into a predicate-style characterization, and that the current statutory framework requires renewed attention to the law now in force rather

than repetition of older interpretive language. The study also found that the full record supported a plea-scope interpretation broader than later shorthand but narrower than total record erasure. Together, these findings contribute to the body of knowledge by showing how qualitative narrative-document analysis can clarify the evolving legal meaning of a record across time, statutory change, and institutional interpretation.

Researcher Reflection

This dissertation reflects the scholarly work of Justin-Ames Gamache®, M.Ed., M.S. It required reading the legal record as an evolving narrative rather than as isolated docket entries. The process reinforced the importance of reading legal materials sequentially, contextually, and with methodological discipline. For that reason, this study became both an examination of one Vermont case and a demonstration of how legal records can be analyzed with greater precision and care.

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Appendix A

Certificate of Service

I hereby certify that a true and correct copy of the foregoing dissertation was served via electronic mail on this 3rd **day of April, 2026**, as shown in the recorded transmission to:

- **Erica Marthage**, Bennington County State's Attorney
- **Sean Dillon**, Deputy State's Attorney
- **Vermont Attorney General's Office** (ago.info@vermont.gov)
- **ACLU of Vermont** (info@acluvt.org)

Mailed-by: gmail.com
Timestamp: Apr 3, 2026, 9:00 AM

Respectfully Submitted,

Justin-Ames Gamache, M.Ed., M.S.

/s/Justin-Ames Gamache, M.Ed., M.S.

AUTHOR BIOGRAPHY

Justin-Ames Gamache, M.Ed., M.S., is a scholar-practitioner whose academic work reflects interdisciplinary preparation in education, psychology, and legal-record analysis. He earned a Bachelor of Science in Interdisciplinary Studies from Liberty University, a Master of Education from Concordia University, and a Master of Science in Psychology with distinction from the University of Phoenix. His graduate and doctoral work has emphasized disciplined inquiry, institutional analysis, qualitative research, and the careful interpretation of complex documentary records. His broader scholarly interests include restorative justice, higher education, identity, record interpretation, leadership, and the relationship between formal procedure and equitable treatment.

Gamache has also pursued advanced doctoral study in education and has developed a body of scholarly writing that integrates educational theory, psychology, and applied analysis. His work is marked by a strong interest in how systems classify individuals, how records shape institutional outcomes, and how legal or educational documents may be read either narrowly or in full context. In addition to his academic training, he has produced independent scholarly and legal writing focused on documentary interpretation, restorative frameworks, and the preservation of accurate public and institutional records. This dissertation reflects that broader commitment to rigorous analysis, precision in language, and faithful reading of the documentary record.